

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Lundberg et al.
Serial No. : 09/646,852
Filed : September 22, 2000
For : NEW FORMULATION
Examiner : Tran, Susan T.
Group Art Unit : 1615

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Signature	Date of Signature

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Commissioner for Patents
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Alexandria, VA 22313-1450

ATTENTION: Examiner Susan T. Tran
DATE: April 29, 2005
NUMBER OF PAGES: 14
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AMENDMENT

Sir:

Applicant submits this communication in response to the final Office Action, mailed January 11, 2005.

Listing of Claims begins on page 2 of this paper.

Remarks begin on page 6 of this paper.

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REMARKS**I. Petition for Extension of Time**

Applicants herewith petition the Commissioner for Patents to extend the time for response to the Office action mailed January 11, 2005 for one month to May 11, 2005.

Authorization is given to charge the extension of time fee of \$120.00 (37 C.F.R. §1.136 and §1.17) to Deposit Account No. 23-1703. Any deficiency or overpayment should be charged or credited to the above numbered deposit account.

II. Claim Amendments

The Examiner is respectfully requested to exercise her discretion and enter this Amendment after final rejection.

Claim 1 has been amended to clarify that the core excipient, i.e., one or more alkaline additives, is a neutralizing agent present in the core in a sufficiently high amount. Specifically, claim 1 has been amended to recite that the neutralizing agent is present in an amount of approximately 10-35% by weight of the core material excluding the weight of an optional starter seed. Support for the amendment is provided by the specification at page 4, lines 10-15, where it is stated that "[t]he alkalizing agent in the core material will neutralize the absorbed acidic fluid and protect the active ingredient against degradation" and at page 6, line 27, where the amount of neutralizing agent is disclosed.

Claim 1 has been further amended to recite that the semipermeable membrane "consists of", as opposed to consists essentially of, the recited ingredients.

Claims 6, 12, 14, and 15 have been amended to recite — starter seed —, as opposed to "sugar sphere", in view of the antecedent basis provided by amended claim 1. Support is found at page 5, line 21 of the specification, which provides that the core material may be produced with starter seeds. New claim 29 is supported by the specification at page 5, lines 19-21.

Applicants submit that no new matter has been introduced by any of the claim amendments.

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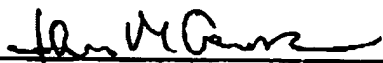
CONCLUSION

Applicants have made a good faith attempt to respond to the Office Action. It is respectfully submitted that claims 1, 3-10, 12-18, 20 and 23-29 are in condition for allowance, which action is earnestly solicited.

Any fees due in connection with this response should be charged to Deposit Account No. 23-1703.

Dated: 29 April 2005

Respectfully submitted,



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Enclosure (4pages): The Theory and Practice of Industrial Pharmacy, Third Edition (1986),
p.328